

Introduced by Senator Cox

February 18, 2010

An act to add Section 14041.61 to the Education Code, relating to education finance and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1136, as introduced, Cox. Education finance: revenue limit apportionments.

(1) Existing law requires the Controller to draw warrants on the State Treasury in favor of the county treasurer of each county in each month of each year in prescribed amounts and in a prescribed manner. Commencing with the 2008–09 fiscal year, existing law requires the warrants for the principal apportionments for the month of February in the amount of \$2,000,000,000 to be drawn in July of the same calendar year and requires those warrants to be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution for the year in which they are drawn.

This bill would provide, notwithstanding the provisions described above, that a school district's apportionment deferral shall not exceed the school district's required reserve for economic uncertainties, if the school district meets specified criteria.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14041.61 is added to the Education Code,
2 to read:

3 14041.61. Notwithstanding Section 14041.6 or any other
4 provision of law, a school district's revenue limit apportionment
5 deferral shall not exceed the school district's required reserve for
6 economic uncertainties if the school district meets either of the
7 following criteria:

8 (a) The school district's average daily attendance, excluding
9 charter school average daily attendance, for the prior-year second
10 principal apportionment is equal to or less than five hundred.

11 (b) The school district's annual General Fund revenues are less
12 than five million dollars (\$5,000,000).

13 SEC. 2. This act is an urgency statute necessary for the
14 immediate preservation of the public peace, health, or safety within
15 the meaning of Article IV of the Constitution and shall go into
16 immediate effect. The facts constituting the necessity are:

17 In order to provide economic relief for small school districts, it
18 is necessary that this act go into immediate effect.